

PORTLAND HARBOR UPDATE

Issue: The Superfund Program is briefing the Administrator on the Portland Harbor site on July 22.

- Unlike other superfund sites, the EPA administrator will sign the Portland Harbor Record of Decision. The focus of the briefing is to explain where we are in the Remedial Investigation/Feasibility Study process, communicate our outreach strategy and highlight important events in the near future.

Current Status: EPA is modifying the Feasibility Study (FS) developed by The Lower Willamette Group (LWG) for Portland Harbor.

- *Overall, the following modifications will result in an increase in both protectiveness and cost. EPA believes these changes are necessary to comply with CERCLA, the NCP, EPA policy and guidance.*
- EPA is modifying the Feasibility Study provided by the LWG in the following ways:
 - *More contaminants are being addressed* to include sediments contaminated with total PAHs, dioxins/furans and DDT pesticide (and products DDE and DDD) which had not been fully included in all the draft LWG FS alternatives.
 - *EPA is identifying Principal Threat Waste (PTW)*, including pure chemical product seeping from the sediments as well as highly contaminated sediments within the site. For the seeping pure product, EPA is evaluating removal, treatment and disposal. PTW that remains in the river is being treated in place.
 - *The EPA alternatives address contaminated groundwater seeping into the river.*
 - *EPA has included a cleanup for Swan Island Lagoon.* In most of the LWG alternatives, this area was identified for in-water disposal of contamination and closure. EPA has only retained an in-water disposal option in an area that presents fewer obstacles to implement, but is also including an option for off-site disposal. *It's important to note that there is very little community support for in-water disposal here and throughout the country.*
 - *EPA's alternatives include 100 years of operation and maintenance*, different from the LWG 30-year timeframe, since contamination will be left in the river underneath caps that will need to be maintained forever. A 100-year evaluation more accurately reflects those costs.
 - *EPA has put the unit costs provided by LWG into present-day dollars.*

Issue: EPA is under scrutiny from industry at Portland Harbor and other sediment sites across the country on how it develops and selects cleanup remedies.

- In addition to national communications from the Alliance to Restore Our Waterways (AROW), Region 10 has received a letter from the LWG on April 15, 2015 that outlined their six most important concerns.
 - Remedial alternatives should focus on risk reduction
 - Evaluate an appropriate range of technologies
 - Cleanup goals should be achievable, considering natural recovery
 - EPA policy and guidance should be followed
 - EPA's preferred alternative should be cost-effective

- Remedy decision should allow flexibility during design and construction

Current Status:

- Regional and Headquarters staff and management are working together to ensure the documents comply with CERCLA, the NCP, EPA policy and guidance. The Headquarters team has experience with sediment sites nation-wide. Therefore, lessons learned at other sediment sites are used to inform decision-making at Portland Harbor.
- EPA is including a range of technologies to address contaminated sediment such as dredging, capping, enhanced monitored natural recovery, monitored natural recovery, ex-situ treatment in-situ treatment and institutional controls.
- EPA has evaluated and is including natural recovery in all cleanup alternatives.
- When developing the alternatives, EPA will consider the environmental conditions of the river (erosional, transitional or depositional) the current and potential future uses (industrial, recreational, etc.) and will seek to limit the restrictions. For example:
 - EPA will limit caps in locations where commercial and shipping activities occur.
 - EPA will also consider future navigation and maintenance dredging when determining the appropriate cleanup technology.
 - Appropriate beach material will be placed in locations that serve as public access points for recreation or wildlife habitat.

Issue: EPA is working with six Federally-recognized Tribes, a Community Advisory Group, and other members of the community who have expressed EJ concerns.

- Ensure continued or expanded river access;
- Ensure a robust cleanup weighted heavily on removal rather than capping or MNR;
- Carefully consider where contaminated sediment is placed (CDF);
- Ensure the public can use the river and eat the fish;
- Ensure cleanup remedy can withstand natural disasters such as earthquakes, and consider climate change impacts such as more frequent or larger floods;
- Portland and area residents want a voice in the cleanup
- The Tribes have these and other separate concerns and EPA will be consulting with them in late 2015 to early 2016. At least one of the Tribes has requested consultation with the Administrator since she will be signing the cleanup decision.

UPCOMING KEY DATES AND EXECUTIVE LEVEL MEETINGS

- **July 29, 2015:** EPA discusses the Feasibility Study with congressional delegation.
- **August 6, 2015:** EPA meeting with the LWG and State executives, tribes, and community partners (in separate meetings) to discuss the Feasibility Study and project schedule
- **September 16, 2015:** EPA discusses *Conceptual Remedy* with congressional delegation
- **September 17, 2015:** EPA meeting with the LWG and State executives, tribes, and community partners to discuss the *Conceptual Remedy*
- **September 18, 2015** – EPA provides *Conceptual Remedy* to our stakeholder groups: ODEQ, Tribes, Trustees, LWG and Community Advisory Group (CAG).
- **November 18-19, 2015** – EPA's National Remedy Review Board and Contaminated Sediments Technical Advisory Group meeting; ODEQ and Tribes will be invited to give brief presentations during the information gathering stage. During deliberations, only EPA personnel will be present.

History:

- The site was listed on the National Priorities List in 2000.
- Although there are more than 150 potentially responsible parties, only 10 signed an AOC to conduct the Remedial Investigation/Feasibility Study. The 10 parties are referred to as The Lower Willamette Group (LWG).
- The Remedial Investigation is complete.
 - Many contaminants at unacceptable risk levels were identified throughout Portland Harbor.
 - The Portland Harbor site is large—covering approximately 10 river miles of the Willamette River.
 - Some areas are more contaminated than others, particularly in nearshore areas.
 - At some locations nearly pure chemical product is releasing out of the sediments.
 - People can be exposed by eating contaminated fish or by contact with contaminated sediments through swimming, pulling in fishing nets that have sediment on them or working in the river.
 - Contaminant levels are so high in some resident fish species, that the fish should not be eaten.
 - As testimony to that risk, the Oregon Health Authority has posted fish consumption warnings around the Harbor.
 - Risks are highest for fish consumers, particularly infants of nursing mothers who regularly eat fish from the Willamette River.
 - Some of the same contaminants that pose a risk to people also are a risk to the wildlife, fish and sediment-dwelling organisms in and along the river.
- All parties appear to agree that cleanup should occur but it's not clear how far apart we are on the scope and scale of cleanup.